

1 Carla M. Wirschafter (SBN 292142)  
Email: [cwirschafter@reedsmith.com](mailto:cwirschafter@reedsmith.com)  
2 Allison L. Kahn (SBN 346206)  
Email: [akahn@reedsmith.com](mailto:akahn@reedsmith.com)  
3 REED SMITH LLP  
1901 Avenue of the Stars, Suite 700  
4 Los Angeles, CA 90067-6078  
Telephone: (310) 734-5200  
5 Facsimile: (310) 734-5299

6 *Attorneys for Defendant*  
SHAWN COREY CARTER

7  
8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10  
11 RYMIR SATTERTHWAITE,  
12 Plaintiff,  
13 vs.  
14 SHAWN COREY CARTER,  
15 Defendant.

Case No.: 2:25-cv-04251- SPG (MARx)

*[Assigned to Hon. Sherilyn Peace Garnett,  
Courtroom 5C]*

**DEFENDANT'S REQUEST FOR  
JUDICIAL NOTICE IN SUPPORT OF  
MOTION TO DISMISS AND MOTION  
TO STRIKE**

*[Filed Concurrently With Motion to  
Dismiss and Strike; Memorandum of Points  
and Authorities; Declaration Of Carla M.  
Wirschafter; [Proposed] Order]*

Hearing Date: September 3, 2025  
Time: 1:30 p.m.  
Location: Courtroom 5C

Action Filed: May 6, 2025

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**REQUEST FOR JUDICIAL NOTICE**

**I. Introduction**

Pursuant to Federal Rule of Evidence 201, Defendant Shawn Corey Carter (“Defendant”) respectfully requests that the Court take judicial notice of the following documents identified in this Request and attached as exhibits to the Declaration of Carla M. Wirtschafter (“Wirtschafter Decl.”) in support of the Defendant’s Motion to Dismiss and to Strike Plaintiff’s Complaint (the “Motion”) file concurrently herewith:

<b>Exhibit</b>	<b>Description</b>
Ex. B	Order denying petition for genetic testing by the Honorable Doris Pechkurow of the Court of Philadelphia County Court of Common Pleas, Family Court Division, Case No.: 0C1001054, on July 16, 2010.
Ex. C	Order dismissing petition for paternity testing by the Honorable Doris Pechkurow of the Court of Philadelphia County Court of Common Pleas, Family Court Division, Case No.: 0C1001054, on May 19, 2011.
Ex. D	Appellate Order reversing order granting petition to vacate orders by the Honorable Olson, Wecht, and Colville, JJ of the Superior Court of Pennsylvania, Case No.: 1767 EDA 2012, on April 23, 2013.
Ex. E	Order by the Honorable Nan S. Famular of the Superior Court of New Jersey, Camden County, Case No.: FD-04-186-14, on September 17, 2013.
Ex. F	Order granting motion to seal by Honorable Joel Schneider of the United States District Court for the District of New Jersey, Case No.: 17-11751, on February 27, 2018.
Ex. G	Injunction Order by the Honorable Deborah Silverman Katz of the Superior Court of New Jersey, Camden County, Case No.: CAM-L-

1		4749-14, on January 13, 2022.
2	Ex. H	Order granting motion to dismiss for lack of jurisdiction by Honorable
3		Nitza I. Quiñones Alejandro of the United States District Court for the
4		Eastern District of Pennsylvania, Case No.: 24-1025, on August 14,
5		2024.
6	Ex. I	Order granting motion to dismiss with prejudice by Honorable
7		Edward S. Kiel of the United States District Court for the District of
8		New Jersey, Case No.: 24-cv-10724-ESK-EAP, on May 22, 2025, as
9		well as a copy of the motion for context.

## II. Legal Standard

A court may take judicial notice of relevant facts that are “not subject to reasonable dispute.” Fed. R. Evid. 201(b). This includes facts that are “generally known within the trial court’s territorial jurisdiction,” and facts that “can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.” Fed. R. Evid. 201(b)(1)-(2). Courts, therefore, may take judicial notice of court records and basic facts regarding other cases because these records and facts are not subject to reasonable dispute and can be readily determined from sources whose accuracy cannot reasonably be questioned. A court “must take judicial notice if a party requests it and the court is supplied with the necessary information.” Fed. R. Evid. 201(c)(2); *see United States ex rel. Robinson Rancheria Citizens Council v. Borneo, Inc.*, 971 F. 2d 244, 248 (9th Cir. 1992) (“*Borneo, Inc.*”) (It is well established that courts “may take notice of proceedings in other courts, both within and without the federal judicial system, if those proceedings have a direct relation to matters at issue.”)

Courts also are permitted to take judicial notice of documents under the incorporation by reference doctrine. *Tellabs, Inc. v. Makor Issues & Rights, Ltd.*, 551

1 U.S. 308, 322 (2007) (“[C]ourts must consider the complaint in its entirety, as well as  
2 other sources courts ordinarily examine when ruling on Rule 12(b)(6) motions to  
3 dismiss, in particular, documents incorporated into the complaint by reference, and  
4 matters of which a court may take judicial notice.”); *Knieval v. ESPN*, 393 F.3d 1068,  
5 1076 (9th Cir. 2005) (applying the “incorporation by reference” doctrine where the  
6 plaintiff’s claim depends on the contents of a document, the complaint does not  
7 explicitly allege the document’s contents, the defendant attached the document to its  
8 motion to dismiss, and the parties do not dispute the document’s authenticity). “The  
9 court may treat such a document as ‘part of the complaint, and thus may assume that  
10 its contents are true for purposes of a motion to dismiss[.]’” *Marder v. Lopez*, 450  
11 F.3d 445, 448 (9th Cir. 2006) (citation omitted).

12 **III. Exhibits B-I are Judicially Noticeable Court Records That Are**  
13 **Incorporated By Reference In Plaintiff’s Complaint**

14 The Court may take notice of Exhibits B-I because they are court orders that are  
15 not subject to reasonable dispute and can be readily determined from sources whose  
16 accuracy cannot reasonably be questioned. Fed. R. Evid. 201(b)(1)-(2).

17 Specifically, Exhibits B-I are the proper subject of judicial notice because they  
18 are court orders issued by state and federal courts in New Jersey and Pennsylvania;  
19 they are directly related to the matters at issue because they are the purported basis for  
20 allegations underlying Plaintiff’s claims and prayer for relief, and demonstrate that the  
21 claims pled in this lawsuit have been repeatedly adjudicated and rejected. *United*  
22 *States v. Black*, 482 F.3d 1035, 1041 (9th Cir. 2007) (noting that courts may take  
23 judicial notice of proceedings in other courts “if those proceedings have a direct  
24 relation to matters at issue”); *Reyn’s Pasta Bella, LLC v. Visa USA, Inc.*, 442 F.3d  
25 741, 746 n.6 (9th Cir. 2006) (taking “judicial notice of court filings”); *Bennett v.*  
26 *Medtronic, Inc.*, 285 F.3d 801, 803 n.2 (9th Cir. 2002) (taking judicial notice of filings  
27 in state court); *Borneo, Inc.*, 971 F. 2d at 248 (taking judicial notice of a California  
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1 court's final judgment); *Holder v. Holder*, 305 F.3d 854, 866 (9th Cir. 2002) (taking  
2 judicial notice of California Court of Appeal opinion and briefs filed in that  
3 proceeding and in the trial court to determine whether issue preclusion doctrine  
4 applied).

5 Separately, the Court may take judicial notice of Exhibits B-I under the  
6 incorporation by reference doctrine. *Tellabs, Inc.*, 551 U.S. at 322. Exhibits B-I are  
7 court orders issued in the New Jersey and Pennsylvania court proceedings that are  
8 referenced in and are the purported basis for the allegations in Complaint. *See*  
9 Complaint, ¶¶ 25-27, 35-37, 39-43, 47, 67, 72, 78, 89, 94-96, 98, 103, 111-115, 121-  
10 123. Additionally, as stated in Plaintiff's Prayer for Relief, Plaintiff is asking this  
11 Court to declare New Jersey and Pennsylvania court orders "null, void, unenforceable,  
12 and unconstitutional." *See* Prayer for Relief, ¶ 4 ("Declaratory relief ..., declaring all  
13 judgments, liens, sealing orders, and other court actions obtain through fraud upon the  
14 court are null, void, unenforceable, and unconstitutional.") Exhibits B-I are those  
15 orders.

16 Accordingly, the court should take judicial notice of the orders in Exhibits B-I  
17 for the reasons set forth above.

18 DATED: July 18, 2025

REED SMITH LLP

19  
20 By: /s/ Carla M. Wirtschafter

21 Carla M. Wirtschafter

22 Allison L. Kahn

23 Attorneys for Defendant

24 SHAWN COREY CARTER  
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